

REMARKS

In the June 24, 2005 Office Action, claims 1-9, 11-32, 34 and 35 stand rejected in view of prior art.

Status of Claims

Claims 1-35 are pending, with claims 10 and 33 being withdrawn. Reconsideration of the pending claims is respectfully requested in view of the following comments.

Election of Species

In paragraph 1 of the Office Action, the Office Action indicated that claim 33 was withdrawn. Applicant respectfully requests that non-elected claims 10 and 33 be rejoined in this application upon allowance of a generic claim.

Claim Objections

In paragraph 2 of the Office Action, claim 35 was objected to because of informalities. The identifier of claim 35 has been changed as recommended in the Office Action:

Rejections - 35 U.S.C. § 103

In paragraphs 4 and 5 of the Office Action, claims 1-9, 11, 13-31, 34 and 35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 2,937,905 (Altenburger) in view of U.S. Patent No. 657,435 (Minshall). Claims 12 and 32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Altenburger in view of Minshall as applied to claims 1-9, 11, 13-31, and 33-35 and further in view of U.S. Patent No. 6,443,533 (Lacombe).

Applicant respectfully asserts that Altenburger cannot be properly combined with Minshall.

Altenburger discloses a ***metal rim*** with a hollow space 14. The hollow space 14 is utilized to attach ***tension spokes*** 30 to the ***metal rim***.

Conversely, Minshall discloses a solid felly A with **compression spokes** C. As shown in Exhibit A, the common definition of “felly” is a **wooden** rim. Minshall further discloses a plate D to prevent the spoke C from crushing and splitting the **wooden** felly during compression. Moreover, Minshall **does not** disclose welding plate D to the **wooden** felly.

“The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination.” MPEP 2143.01 citing *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990) (Emphasis MPEP’s own). Clearly, this motivation is lacking in the prior art of record.

In particular, applicant respectfully submits that one of skill in the art would not combine Altenburger, which discloses a hollow, **metal rim** having **tension spokes**, with Minshall, which is directed to a solid, **wooden** felly with a plate D for protecting the wood from the **compression spokes** C. There is no suggestion in Minshall or Altenburger to combine a device intended for **compression spokes** with a device that utilizes **tension spokes**. Indeed, there is no need for the hollow, **metal rim** of Altenburger to be protected from crushing or splitting since **tension spokes** are used in Altenburger.

Minshall states that the plate D is “so shaped as to receive and distribute the thrust on the shoulder.” Thus, the plate D of Minshall protects the rim by distributing the thrust from the **compression spokes**. One of skill in the art would not be motivated to apply the plate D that distributes thrust from a **compression spoke** to the **tension spoke** of Altenburger since there is no thrust from the spoke to distribute.

Applicant respectfully submits that Lacombe does not remedy the deficiencies of Altenburger and Minshall in that the claimed spoke attachment portion and reinforcement members are not disclosed in Lacombe. Thus, any hypothetical rim resulting from the teachings of these references would not include these claim limitations, as discussed above.

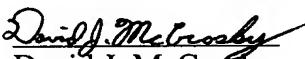
Moreover, Applicant believes that dependent claims 2-9, 11-22, 24-29, 31-33 and 35 are also allowable over the prior art of record in that they depend from independent claims 1, 23 and 34, and therefore are allowable for the reasons stated above. Also, the dependent claims are further allowable because they include additional limitations. Thus, Applicant believes that since the prior art of record does not disclose or suggest the invention as set forth in independent claims 1, 23 and 34, the prior art of record also fails to disclose or suggest the inventions as set forth in the dependent claims.

Therefore, Applicant respectfully requests that this rejection be withdrawn in view of the above comments.

Conclusion

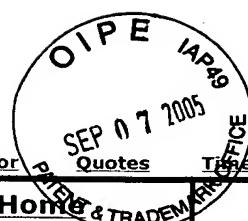
In view of the foregoing comments, Applicant respectfully asserts that claims 1-35 are in condition for allowance. Reconsideration of the pending claims is respectfully requested.

Respectfully submitted,


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SHOOT!
and **THE PRIZE** →



definition of felly

Felly

(*adv.*) In a fell or cruel manner; fiercely; barbarously; savagely.
(*n.*) The exterior wooden rim, or a segment of the rim, of a wheel, supported by the spokes.

Translation of felly

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(*n.*) The most posterior of the three pairs of embryonic renal organs developed in many vertebrates.

Definition of Miterwort

(*n.*) Any plant of the genus Mitella, -- slender, perennial herbs with a pod slightly resembling a bishop's miter; bishop's cap.

Definition of Jeffersonia

(*n.*) An American herb with a pretty, white, solitary blossom, and deeply two-cleft leaves (*Jeffersonia diphylla*); twinleaf.

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fel·ly [féllee] (plural **fel·lies**) *or* **fel·loe** [féllō] (plural **fel·loes**)

noun

wheel rim: an outer rim of a wooden wheel, or a segment of this, with a metal tire shrunk around it

[Old English]

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